

AN
ACT
for the
SETTLING
OF
IRELAND.

Thursday 12 August, 1652.
*Ordered by the PARLIAMENT, That this Act be
forthwith Printed and Published.*

Hen: Scobel, Cleric. Parliamenti.

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for



AN ACT for the SETTLING OF IRELAND.



Whereas the Parliament of ENGLAND, after the expence of much Bloud and Treasure, for suppression of the horrid Rebellion in *Ireland*, Have, by the good hand of God upon their undertakings, brought that Affair to such an Issue, as that a total Reducement and Settlement of that Nation may, with Gods blessing, be speedily effected: To the end therefore that the People of that Nation may know, that it is not the intention of the Parliament to extirpate that whole Nation, but that

that Mercie & Pardon, both as to life and Estate, may be extended to all Husband-men, Plow-men, Labourers, Artificers, & others of the inferior sort, in manner as is hereafter declared; They submitting themselves to the *Parliament of the Common-wealth of ENGLAND*, and living peaceably and obediently under their Government: And that others also of higher Rank and *Qualitie* may know the Parliaments intention concerning them, according to the respective Demerits and Considerations under which they fall; Be it Enacted and Declared by this present Parliament, and by the Authoritie of the same, That all and every person and persons of the *Irish Nation*, comprehended in any of the following Qualifications, shall be liable unto the Penalties and Forfeitures therein mentioned and contained; or be made capable of the Mercie and Pardon therein extended respectively, according as is hereafter Expressed and Declared: That is to say,

I.

THat all and every Person and Persons, who at any time before the Tenth day of *November*, One thousand six hundred fourtie two, (being the time of the sitting of the first General Assembly at *Kilkennie in Ireland*) have Contrived, Advised, Counsell'd, Promoted or Acted, the Rebellion, Murthers or Massacres done or committed in *Ireland*, which began in the Year One thousand six hundred fourtie one: or have at any time before the said Tenth day of *November*, One thousand six hundred fourtie two, by bearing Arms, or contributing Men, Arms, Horse, Plate, Money, Victual, or other Furniture or Habiliments of Warr (other than such which they shall make to appear to have been taken from them by mee force

force and violence) aided, assisted, promoted, acted, prosecuted or abetted the said Rebellion, Murthers or Massacres, be excepted from Pardon of Life and Estate.

II.

That all and every Iesuite, Priest, and other person or persons who have received Orders from the Pope or Sea of *Rome*, or any Authoritie derived from the same, that have any ways contrived, advised, counselled, promoted, continued, countenanced, aided, assisted or abetted; or at any time hereafter shall any ways contrive, advise, counsel, promote, continue, countenance, aid, assist or abet the Rebellion or Warr in *Ireland*, or any the Murthers or Massacres, Robberies or violencies committed against the Protestants English or others there, be excepted from Pardon for Life and Estate.

III.

That **James Butler** Earl of *Ormond*, **James Touchet** Earl of *Castlehaven*, **Willick Bourk** Earl of *Clanrickard*, **Christopher Plunket** Earl of *Fingall*, **James Dillon** Earl of *Roscommon*, **Richard Nugent** Earl of *Westmeath*, **Morrough O'Brien** Baron of *Inchiquin*, **Donogh Mac Carthy** Viscount *Muskerie*, **Theobald Taaff** Viscount *Taaff* of *Corren*, **Richard Butler** Viscount *Mountgarret*,

Roch Viscount *Fernjoy*,

Montgomery Viscount *Montgomery* of *Ards*,

Magennis Viscount of *Iveagh*, **Fle-**

ming Baron of *Slane*, **Dempsey** Viscount of *Glanmaleer*.

Bermingham Baron of *Athenry*,

Oliber Plunket Baron of *Lowth*, **Robert Barnwal** Baron of *Trymletstown*, **Miles Bourk** Viscount *Mayo*,

Connor Magwire Baron of *Eniskellen*, **Nicholas Preston** Viscount *Gormanstown*, **Nicholas Nettervil** Vis-

E

count

count *Nettervil* of *Dowth*, **John Bramhal** late Bishop of *Derry*, **James Cusack** Esquire, **Thomas Tyrrel** Esquire, **Peter Clinton** Esquire, Sir **Phelim O Neil**, Sir **George Monroe**, Sir **James Montgomerie** and Sir **Robert Stewart** Knights, Sir **Con Magennis** of the Countie of *Down* Knight, Sir **Luke Fitz-Gerald** of *Tecroghan* Knight, Sir **Richard Barnwal** of *Crickstown* Knight, Sir **John Nettervil** Knight, Sir **Thomas Esmond** of the Countie of *Wexford* Knight, Sir **John Magrath** of the Countie of *Tipperary*, Sir **Cheobald Bourk** son of the Viscount *Mayo*, Colonel **Thomas Preston**, **Hugh Buy O Neil**, **Luke Taaff** Brother of the Viscount *Taaff*, **Geoffry Brown** Esquire, **Geoffry Baron**, **Patrick Darcy**, and **Nicholas Plunket** Esquires, **Fennel** Doctor of *Physick*, **Hugh Mac Phelim Birn** of the Countie of *Wicklow*, **Florence Fitz-Patrick** of the *Queens* Countie Esquire, Colonel **John Fitz-Patrick** son of *Florence*, **Roger Moore** of *Ballyna* in the Countie of *Kildare*, **Cirlogh Roe O Neil** Brother to Sir **Phelim O Neil**, **Mulmurry Mac Swyne**, **Donnel Oge Magennis**, **John Mortimer**, **Rory Magwyre** of the Countie of *Fermanagh*, **Rory Mac Brien Oge Magennis**, **Eben Magennis** of *Castle-vellan*, **Edmund Buy Magennis**, **Shane Mac Brien O Neil**, **Cirlogh Magrath** son of **James Magrath**, **Cirlogh Mac Caffry O Donnel**, **Brien Hodder O Quynne**, **Brien O Mulcreby**, **Patrick Broom O Mulcreby**, **Cirlogh Broom O Quynne** of *Monagowre* in the Countie of *Tyrone*, Colonel **Hanus Roe O Chahan**, **Toole Mac Hachan**, **Walter Bagnal** Esquire, **Edmund Bourk** of *Cloghan* in the Countie of *Mayo*, **Pursel** of *Tipperary*,
Baron

Baron of *Loughmo*, **Thomas Cantwel** of *Cantwels Court*
 in the Countie of *Kilkennie*, **Edward Husley** of *Moyl*
Husley in the Countie of *Meath*, **Hugh Husley** of *Galtrim*,
John Bellew of *Willystown* in the Countie of *Louth* Es-
 quire, **Philip Mac Hugh O Keyly** of the Countie of
Cavan, **Mulmurry O Keyly** of the Countie of *Cavan*,
 Colonel **Mac Brien Mac Mahown** of the Countie
 of *Monaghan*, **Lysagh Moore** brother of **Roger Moore**
 before mentioned, **Neil Mac Kenna** of the *Trough* in
 the Countie of *Monaghan*, **Richard Belling** Esquire
 son of Sir **Henry Belling** Knight, **Laurence Dowdal**
 of *Athlumney* Esquire, Captain **Arthur Fox** of *Crumlin*
 in the Countie of *Dublin*, **Brien Mac Phelim Birn** of
 the Countie of *Wicklow*, Colonel **Lnke Tool** of *Castle-*
kevin in the Countie of *Wicklow*, **John Crean** of *Sligo*,
Anthony Brabazon of *Ballinasloe* in the Countie of *Ros-*
common, **Piers Fitz Gerard** of *Ballifonan* commonly
 called **Mac Thomas**, **Lysagh Demsey** of the *Kings*
 Countie Esquire, **Charles O Connoz Dun** of *Ballinto-*
ber in the Countie of *Roscommon* Esquire, **Dermot O**
Brien of the Countie of *Clare*, **Richard Grace Mac**
Jasper of the *Kings* Countie, **Philip O Dwyre** of the
 Countie of *Tipperary*, **Downey O Dwyre** of the County
 of *Tipperary*, **Murtagh O Brian** of *Annagh* in the said
 Countie, **John O Kennedy** of *Dunnally* in the said
 Countie, **Murrogh ne Hart O Flagherty** of the
 Countie of *Gallway*, **Teige O Flagherty** of the said
 Countie, **Teige O Connoz Roe** of the Countie of *Ros-*
common, **Teige O Connoz Sligo** of *Sligo*, **Redmond**
Bourk Kilceman in the Countie of *Gallway*, **Thomas**
Bourk of *Anbally* in the Countie of *Gallway*, **John**
Brown of the *Neil* in the Countie of *Mayo*, **Charles O**

Connoz and **Hugh O Connoz** brothers of **Teige O Connoz Sligo**, **James Dillon** brother to the Viscount *Dillon* of *Costillogh*, **Touchet** brother to the Earl of *Castlehaven*, be excepted from Pardon for Life and Estate.

IV.

That all and every Person and Persons (both Principals and Accessaries) who since the first day of *October*, One thousand six hundred fourtie one, have, or shall kill, slay, or otherwise destroy any Person or Persons in *Ireland*, which at the time of their being so killed, slain or destroyed, were not publicly entertained and maintained in Arms as Officers or private Souldiers, for and on behalf of the *English* against the *Irish*; and all and every person and persons (both Principals and Accessaries) who since the said first day of *October*, One thousand six hundred fourtie one, have killed, slain, or otherwise destroyed any person or persons entertained and maintained as Officers or private Souldiers, for and on the behalf of the *English* against the *Irish* (the said persons so killing, slaying, or otherwise destroying, not being then publicly entertained and maintained in Arms as Officer or private Souldier under the Command and Pay of the *Irish* against the *English*) be excepted from Pardon for Life and Estate.

V.

That all and every person and persons in *Ireland*, that are in Arms or otherwise in Hostilitie against the Parliament of the Common-wealth of *England*, and shall not within Eight and twentie days after Publication hereof by the Commissioners for the Parliament, or Commander in Chief, lay down Arms and submit to the Power and Authority

Authoritie of the said Parliament and Common-wealth, as the same is now established, be excepted from Pardon for Life and Estate.

VI.

That all other person and persons (not being comprehended in the former Qualifications) who have borne Command in the Warr of *Ireland* against the Parliament of *England*, or their Forces, as General, Lieutenant General, Major-General, Commissarie-General, Colonel, Governour of any Garrison, Castle or Fort, or who have been employed as Receiver-General or Treasurer of the whole Nation or any Province thereof, Commissarie-General of Musters or Provisions; Marshal-General, or Marshal of any Province, Advocate of the Armie, or Secretarie to the Councel of Warr, or to any General of the Armie, or of any the severall Provinces, in order to the carrying on the Warr against the Parliament or their Forces, be Banished during the pleasure of the Parliament of the Common-wealth of *England*, and their Estates forfeited and disposed of as followeth, *viz.* That two third parts of their respective Estates be had, taken, and disposed of for the Use and Benefit of the said Common-wealth; And that the other third part of their said respective Estates or other Lands, to the proportion and value thereof (to be assigned in such places in *Ireland*, as the Parliament, in order to the more effectual Settlement of the Peace of that Nation shall think fit to appoint for that purpose) be respectively had, taken and enjoyed by the Wives and Children of the said persons respectively.

VII.

That the Commissioners of Parliament, & Command-

er in Chief, h'ive power to Declare, That such person or persons as they shall judge capable of the Parliaments Mercie (not being comprehended in any of the former Qualifications) who have born Arms against the Parliament of *England* or their Forces, and have laid down Arms, or within Eight and twentie days after Publication hereof by the Commissioners for the Parliament, and the Commander in Chief, shall lay down Arms, and submit to the Power and Authoritie of the said Parliament and Common-wealth, as the same is now established (by promising and engaging to be true to the same) shall be pardoned for their Lives, but shall forfeit their Estates to the said Common-wealth, to be disposed of as followeth, *viz.* Two third parts thereof (in three equal parts to be devided) for the Use, Benefit and Advantage of the said Common-wealth, and the other third part of the said respective Estates or other Lands, to the proportion or value thereof (to be assigned in such places in *Ireland*, as the Parliament, in order to the more effectual Settlement of the peace of that Nation shall think fit to appoint for that purpose) be enjoyed by the said persons, their Heirs or Assigns respectively. Provided, That in case the Commissioners and Commander in Chief, or either of them shall see cause to give any shorter time than Twentie eight days, unto any person or persons in Arms, or in any Garrison, Castle or Fort in Hostilitie against the Parliament, and shall give notice to such person or persons in Arms, or in any Garrison, Castle or Fort, That all and every such person and persons, who shall not within such time as shall be set down in such notice, surrender such Garrison, Castle or Fort to the power of the Parliament, and lay down Arms, shall have no advantage of the Time formerly limited in this Qualification. That